

STATE OF NEW MEXICO
BEFORE THE SECRETARY OF THE ENVIRONMENT

IN THE MATTER OF THE APPLICATION
OF ROPER CONSTRUCTION, INC. FOR
AN AIR QUALITY PERMIT NO. 9295,
ALTO CONCRETE BATCH PLANT

AQB 21-57(P)

**RENEWED MOTION TO DISMISS NSR SOURCE PERMIT
APPLICATION AND CASE NO. ABQ 21-57(P) FOR FAILURE
TO PROVIDE NOTICE MANDATED BY REGULATIONS**

The Property Owners of Sonterra (“Sonterra”) renews its Motion to Dismiss the referenced administrative case and Roper Construction, Inc.’s (“Roper’s”) application for an air quality construction permit because Sonterra has determined, using the tax schedule mandated by 20.2.72.203.B(1) NMAC, that thirteen (13) property owners within one-half (1/2) mile of the proposed facility did not receive notice by certified mail. This omission constitutes nearly 10% of the entire population entitled to notice. As further grounds for this motion, Sonterra states:

1. Sonterra’s previous Motion to Dismiss presented irrefutable evidence that Roper failed to comply with the requirement of 20.2.72.203.B(1) NMAC to provide notice of the application of a permit “by certified mail, to the owners of record, as shown in the *most recent property tax schedule*, of all properties within one-half (1/2) mile of the property on which the facility . . . is proposed to be located . . .” (emphasis added).

2. As a result of Roper’s failure to use “the most recent property tax schedule,” Sonterra’s previous motion established that at least two property owners (116 Legacy Lane, Alto, NM 88312), Kathleen A. and Donnie R. Weems, did not receive the required regulatory notice. At the hearing held on December 15, 2021, Sonterra explained that it did not know how many other property owners within one-half (1/2) mile of the proposed location, if any, did not receive the required notice because Roper failed to derive the ownership information from the most current

property tax schedule in effect at the time the application was filed. Instead, Roper used outdated information on a parcel map, information which is only updated sporadically and for which both the vendor and Assessor caution should not be used to determine current property ownership. *See* Exh. A (screenshot of disclaimer of liability for use of parcel information to determine ownership).

3. Despite the regulation's unambiguous requirement that notice must be provided based on the "most recent property tax schedule," the Hearing Officer denied Sonterra's request to demonstrate that, if Roper had used the most recent property tax schedule in effect on June 4, 2021, as required by the regulation, all current property owners within one-half (1/2) mile of the proposed facility would have been readily identified. Instead, the Hearing Officer sanctioned Roper's use of outdated information on a parcel map, a methodology that contravenes the requirement to use the current tax schedule.

4. Counsel for the New Mexico Environment Department ("NMED") also had no interest in verifying compliance with the regulation, calling the matter of proper regulatory notice to landowners "a hula-baloo" that did not deserve a hearing. NMED counsel objected to Sonterra's attempted presentation on this matter – which the Hearing Officer sustained – and successfully relegated the proper regulatory notice analysis to an inconsequential stature, contrary to New Mexico Appellate Court decisions emphasizing the importance of meeting the notice requirements and the stark consequences for failing to do so. *See Northeastern New Mexico Regional Landfill, LLC v. The New Mexico Environment Department*, No. 28,236 consolidated with 28,229.

5. Sonterra has elected to voluntarily assume the applicant's burden and the NMED's responsibility to verify that the notice requirements have been met.¹ By using the readily available

¹ The Hearing Officer has effectively transferred the burden on Sonterra to demonstrate the identity of omitted property owners using the required current tax schedule, rather than properly placing that burden on the applicant and requiring the NMED to discharge its administrative responsibility

property tax schedule for each property within one-half (1/2) mile of the proposed concrete batch plant, as provided by the Assessor, Sonterra has determined that thirteen (13) property owners, including the Weems and the applicant itself, did not receive the required regulatory notice. Employing the same evidence and methodology that the Hearing Officer prevented Sonterra from presenting at the hearing, each owner number within one-half (1/2) mile of the proposed facility, as reported in Roper's application, was input into the live assessor software to obtain the property tax schedule for that property and the identification of the current property owners as of June 4, 2021. The following summarizes and compares the incorrect notices sent by Roper, based on the deficient and stale information in the parcel map, with the proper identification of the property owners as set forth in the required property tax schedule:

Owner Number	Incorrect Identity and Address Used by Roper	Correct Identity and Address from Property Tax Schedule
1007303	Abercrombie, Robert P.O. Box 14060 Las Cruces, NM 88013	Harry, Mason Harry, Lauren 4211 Marlborough Dr. Houston, TX 77092
324301	Chavez, Genaro 12051 Paseo Solo Lane El Paso, TX 79936	1097 NM 48, LLC P.O. Box 273 Alto, NM 88312
325480	Clarke, Rosemary C 10229 Aggie Circ El Paso, TX 79924	Jones, Donna Lynn 1206 El Caminito Hobbs, NM 88240
283857	Country Affluence, LLC P.O. Box 3000 Big Spring, TX 79721	Jones, Paul A Jones, Regina L 2908 42 nd St. Snyder, TX 79549

to verify that notice has been properly provided. This impermissible burden shifting is an abuse of discretion and contrary to law.

Owner Number	Incorrect Identity and Address Used by Roper	Correct Identity and Address from Property Tax Schedule
283857	Country Affluence, LLC P.O. Box 3000 Big Spring, TX 79721	Jones, Paul A Jones, Regina L 2908 42 nd St. Snyder, TX 79549
335114	Gurrola, Hector E 1421 Temple Heights Dr. Oceanside, CA 92056	Clevenger, Keith D P.O. Box 2766 Ruidoso, NM 88355
289710	Haddad, Richard J 3925 South Jones Blvd Unit 1075 Las Vegas, NV 89103	Woolf, Michael Charles Woolf, Ellen Louise 118 Peebles Ranch Rd Alto, NM 88312
308451	Johnson, Mike L 8200 N Prescott Ridge Rd Prescott Valley, AZ 86315	Sorensen, Harry A Sorensen, Maribel P.O. Box 51242 Midland, TX 79710
302158	King, Marshall P.O. Box 2591 Las Cruces, NM 88004	Martin, Jerry W and Annette Rene 625E. Jemez St. Hobbs, NM 88240
1002481	Lestourgeon, Bart C P.O. Box 384 Boerne, TX 78006	Weems, Donnie R Weems, Kathleen A P.O. Box 563 Ruidoso, NM 88355
1002876	McDonald, Jerrell Wayne 107 Legacy Ln Alto, NM 88312	Martin, William Marc & Lisa Renee Panhai, John Aliez & Brenda Fierro 6939 Commerce Ave El Paso, TX 79915
1002342	McGuire, George 4120 Ravenwood Pl NW Albuquerque, NM 87107	Horcastas, Porfirio R Thomas, Kathy J 102 Raquet Drive Unit 61E Ruidoso, NM 88345
1008089	Tomlinson, Glen 174 King Road Unit 4305 Ruidoso, NM 88345	Roper Investments, LLC P.O. Box 995 Alto, NM 88312
1002829	Wagner, Glen 321 Heath Dr. Ruidoso, NM 88345	Lacy, Rory Lynn & Jaquelyn Sheri 2205 Wyndwood Dr. Midland, TX 79707

See Exh. B (comparing Excel spreadsheet of owner numbers submitted by Roper with corresponding tax schedules for each property as of June 4, 2021).

6. As justification for this marked departure from the unambiguous regulatory requirements to provide notice to the owners of record, as shown in the most recent property tax schedule, the Hearing Officer accused counsel of misrepresenting the law and determined that Roper's omissions could be excused because only "substantial compliance" with the regulation is purportedly necessary. While the doctrine of "substantial compliance" is relevant when analyzing the qualitative nature of a notice otherwise provided in conformity with the statute or regulation, it is an illusory exercise when examining whether the applicant has complied with the mandatory methodology for ensuring that the notice is delivered to the proper recipients, i.e., property owners who are identified by the most current property tax schedule.

7. In *Nesbit v. City of Albuquerque*, 1977-NMSC-107, 91 N.M. 455, the Supreme Court applied a substantial compliance test to determine whether the City of Albuquerque met statutory notice requirements to properly enact a zoning ordinance. *Id.*, ¶ 3. Where, however, a party simply fails to comply with mandatory notice provisions by not following the clear requirements of a statute or regulation, the substantial compliance test is inapplicable because there is no question of compliance in the first place. The *Nesbit* court did not suggest, and certainly did not hold, that substantial compliance is the standard applicable to all cases, even when a party fails to comply with unambiguous notice provisions.

8. Where parties simply fail, as in this case, to comply with the applicable notice requirements, substantial compliance is not the appropriate standard to determine statutory or regulatory compliance. This rule is shown by *Wiggins v. Lopez*, 1963-NMSC-206, 73 N.M. 224, where the Supreme Court invalidated a bond election based on improper notice. In *Wiggins*, the

defendants (members of Wagon Mound School District Board) were required to post notice in five conspicuous places, in addition to publication in a newspaper. *See id.*, ¶ 16. The defendants posted the notice as required by the statute but failed to publish the notice in a newspaper. *Id.* The defendants argued substantial compliance – urging the Court to rule that the notice was sufficient if the “voters of the district generally have knowledge of the time, place, and purpose of the election[.]” *Id.*, ¶ 15. The Supreme Court rejected this view, noting the important distinction between an irregularity in the notice and the failure to comply with the mandatory methodology of providing the notice:

Appellees contend that the above statute is directory and not mandatory and, by being directory, the doctrine of ‘substantial compliance’ will apply.

* * *

The question in the instant case is not that of an irregularity in the notice so as to apply the doctrine of substantial compliance, but a question of no compliance at all with the statute in respect to the requirement of notice by publication in a newspaper.

The Court thus rejected the use of the “substantial completion” test, holding:

This test, however, will not apply in direct contradiction of a legislative requirement, the legislature having the power to set these requirements. It is commendable that appellees in this case made such an attempt to acquaint the voters with all of the aspects of the proposed bond issue, but the legislature has stated that notice shall be made by posting and by publication in a newspaper, and we hold that § 73–8–24, *supra*, has two required forms of notice: (1) posting in five conspicuous places in the district; and (2) publication in a newspaper. Thus, although appellees complied with the posting requirement, the failure to publish as required by the statute vitiates the election.

Id., ¶ 16.

9. Additionally, in *Hopper v. Board of County Comm’rs*, 1973-NMCA-005, 84 N.M. 604, a case relied on by the *Nesbit* Court, the plaintiff challenged a zoning ordinance adopted by

Bernalillo County as void due to noncompliance with statutory notice provisions. *See Hopper*, 1973-NMCA-005, ¶ 2. Bernalillo County argued that it had substantially complied with the statutory notice requirements. *Id.*, ¶ 19. The Court of Appeals, however, determined that Bernalillo County's obligation to provide notice was in fact determined by a separate statutory provision, containing publication requirements not in the section relied on by Bernalillo County. *Id.*, ¶ 20. For this reason, the court did not engage in a substantial compliance analysis. *Id.*, ¶ 20. ("Here, there is no issue of substantial compliance[.]"). Instead, the court found that because there was no attempt to comply with the required notice-by-publication requirements of the statute, "the substantial compliance decisions are *not applicable*" and held that the zoning ordinance was invalid. *Id.*, ¶¶ 20-21 (emphasis added) (internal quotations omitted). In this case, Roper similarly misunderstood the notice requirements by relying on the parcel map rather than the tax schedule. Because there is no question that Roper failed to use the methodology prescribed by the regulation, there is no issue of substantial compliance with the regulation.

10. New Mexico courts apply both a strict compliance standard, requiring "letter-perfect" compliance with notice provisions and also a substantial compliance standard, depending on the statute and the circumstances. *See Stennis v. City of Santa Fe*, 2010-NMCA-108, ¶ 9, 149 N.M. 92 (citing cases). Courts permit substantial compliance, rather than strict compliance, in recognition of the fact that the Legislature (in this case, the Environmental Improvement Board) "cannot anticipate every contingency." *Lane v. Lane*, 1996-NMCA-023, ¶ 17, 121 N.M. 365. In the present circumstances, there is no "unanticipated contingency" because the regulation unambiguously requires the use of the tax schedule to ensure that the most current property owners are notified. It is therefore inappropriate to engage in a substantial compliance analysis where, as in this case, there is no unanticipated contingency. *See Brown v. Trujillo*, 2004-NMCA-040, ¶ 18,

135 N.M. 365 (refusing to apply substantial compliance because of the absence of an unanticipated contingency).

11. Thus, where the will of the legislature is clear by the plain language of the statutory requirement, or the regulation itself expresses a clear requirement, a court will not permit less than strict compliance. *See Stennis*, 2010-NMCA-108, ¶¶ 9, 10. (“Unfortunately, under the plain meaning rule, the very language with which the City failed to comply most completely expresses the will of the legislature. For this reason, although we look first to the plain language of Section 3–53–1.1(D) itself, we must also look to the other provisions of the statute to determine whether they express a legislative intent that might override the plain language of Section 3–53–1.1(D) and allow for substantial compliance.”). In this case, the notice rule uses the mandatory “shall,” and the clear purpose of the provision is to ensure that notice is given to the actual owners of the neighboring properties by using a current tax schedule. *See id.* (noting use of mandatory “shall”).

12. Based on the foregoing, New Mexico law does not permit a party to rely on substantial compliance where it is undisputed that the party did not comply with the unambiguous notice methodology; the test is only proper where there is some ambiguity in the notice requirement or an irregularity in the notice itself, requiring the court to determine whether the purpose of the requirement has been met, weighing potential prejudice and other considerations.² There is no question of substantial compliance, however, where the notice methodology is indisputably ignored or misunderstood.

² *Martinez v. Maggiore*, 2003-NMCA-043, 133 N.M. 472 also strongly supports this conclusion. Although the court couched its decision in the language of substantial compliance, the court’s analysis of the sufficiency of notice was constrained to a single sentence noting that the applicant’s form of publication did not “substantially fulfill” the requirement for publication in the non-classified section of a newspaper. *See id.*, ¶ 9. The court does not include any analysis other than to note this categorical failure, which is the same as the issue presented here.

13. Here, any question of whether the notice provides an adequate description of the application or otherwise sufficiently alerts the public so that their concerns may be heard has not been presented. Rather, Sonterra presented uncontroverted facts that the mandatory methodology for providing and delivery of notice, i.e., using the most recent property tax schedule to identify current owners within one-half (1/2) mile of the facility, has not been followed. There is no room in that analysis for suggesting, under the rubric of “substantial compliance,” that a different methodology may be substituted for the one required by the regulation, or that, contrary to the regulation, all owners of record need not be notified.

14. Nonetheless, the Hearing Officer effectively nullified the mandatory aspect of the regulation and ruled that (i) not all owners within one-half (1/2) mile of the facility need be notified; and (ii) the required methodology to effectuate proper notice need not be followed. This departure contravenes the Court of Appeals’ repeated admonishments that “the failure to comply with statutory and/or regulatory notice requirement is a serious deficiency in the permitting process requiring stark consequences because it effectively precludes the right of interested parties to meaningfully participate in the hearing process and to ensure that their concerns regarding . . . [permit applications] are heard.” *Northwestern Regional Landfill, LLC* at 21.

15. Also implicit in the Hearing Officer’s decision is an acknowledgment that providing notice to “some,” but not all, of the property owners within one-half (1/2) mile of the facility is permissible under a “substantial compliance” test, although it is unknown if and when such a numerical balancing act would result in a sufficient number of omissions to violate the regulation, or whether any type of ownership identification – outside of the use of the mandated current tax schedules – would be permissible. Also, it is unclear whether the Hearing Officer

would condone providing notice to property owners that are 0.4 miles from the property boundary, with the reasoning that “substantial” compliance means that 0.4 is close enough to one-half (1/2).

16. Given the notice omissions set forth above, all of which are demonstrated by self-authenticating public documents, there is no conceivable basis on which Roper’s current application may proceed. As the Hearing Officer observed, the question of proper notice is a threshold matter, and the Secretary is well aware that the Court of Appeals would void any proceeding where regulatory notice requirements have been deemed violated. Even under the Hearing Officer’s improvident view that not all property owners must be notified to achieve “substantial” compliance with the notice regulation, certainly the omission of thirteen (13) property owners within one-half (1/2) mile of the facility is fatal to the application even under that incorrect analysis.

17. Counsel for NMED takes no position with respect to this motion. Counsel for Roper opposes this motion.

WHEREFORE, Sonterra respectfully requests that the Hearing Officer enter an order dismissing the Alto CBP application in the current case and requiring Roper to initiate an entirely new proceeding, including the filing of a new application with notice as provided by the applicable rules.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on December 21, 2021, I caused a true and correct copy of the foregoing pleading to be electronically served on the following:

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EXHIBIT A

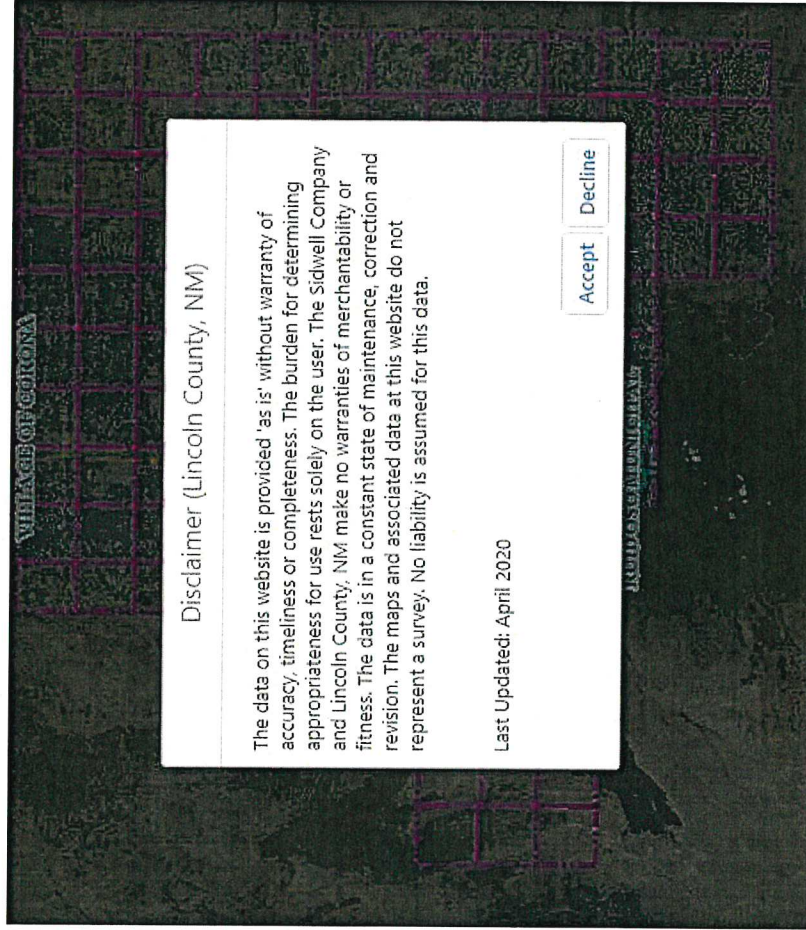


EXHIBIT A

EXHIBIT B

Government Entities

Lincoln County	Whitney Whittaker, County Clerk	PO Box 338	Carrizozo	NM	88301
Village of Ruidoso	Ron Sena, Village Clerk	313 Cree Meadows Dr.	Ruidoso	NM	88345
City of Ruidoso Downs	Ally Giron, City Clerk	123 Downs Drive	Ruidoso Downs	NM	88346
Village of Capitan	Stephanie Bason, Village Clerk	PO Box 1380	Capitan	NM	88316
Mescalero Apache Tribe	To Whom it May Concern	PO Box 227	Mescalero	NM	88340

Landowners within 0.5 miles

OWNER #	OWNER NAME	MAILING ADDRESS	CITY	STATE	ZIP
1007303	ABERCROMBIE, ROBERT	PO BOX 14060	LAS CRUCES	NM	88013
305975	ACROS, INC	7101 NORTH MESA STREET	EL PASO	TX	79912
1000204	ALEXANDER, BEVERLY	127 PINE HILL TRL BOX 12	ALTO	NM	88312
264575	ALTO NORTH WATER, COOPERATIVE	PO BOX 373	ALTO	NM	88312
324375	ALVARADO, REBECCA A	7713 RANCHWOOD DR NW	ALBUQUERQUE	NM	87120
281750	ARAIZA, ADOLPH	808 MEADOR DR	LAS CRUCES	NM	88007
314695	ASHBY, GARY	8506 OXFORD AVE	LUBBOCK	TX	79423
316325	AYERS, DEAN	PO BOX 7252	ODESSA	TX	79760
307180	BAKER, RICKY D	PO BOX 1501	ALTO	NM	88312
324950	BARBEE, DEBORAH	101 PINE KNOT TRL #9	ALTO	NM	88312
281725	BARON, LARRY L	PO BOX 1803	ALTO	NM	88312
1004625	BERMAN, SARI L	PO BOX 207	ALTO	NM	88312
332875	BIRINGER NM HOME TRUST	129 PINEHILL TRL	ALTO	NM	88312
329032	BLAKE, HARLAN H R	171 HIDDEN VALLEY RD	ALTO	NM	88312
1007153	BOTKIN, JOSHUA C	PO BOX 444	ALTO	NM	88312
291222	BROWN, DAVID C	6418 BASSWOOD LN	AMARILLO	TX	79124
301325	BUDDE, XOCHITL	10317 BAYO AVE	EL PASO	TX	79925
284350	BYUS, KENT	7618 DIJON LAKE DR	CORPUS CHRISTI	TX	78413
257800	CARVER, KERRY	1080 STATE HWY 48	ALTO	NM	88312

1002050	CATHEY, CRAIG W	147 LEGACY LN	ALTO	NM	88312
283855	CERVANTES, REYNALDO	SALTILLO, COAH 25208			
257805	CHARLSON, CODY L	PO BOX 851	RUIDOSO	NM	88355
324301	CHAVEZ, GENARO	12051 PASEO SOLO LANE	EL PASO	TX	79936
275600	CHRISMAN, DAVID O	142 PINE HILL TRAIL	ALTO	NM	88312
266149	CLARK, CHARLES S JR	145 PEEBLES RANCH RD	ALTO	NM	88312
266153	CLARK, DONNA A	145 PEEBLES RANCH RD	ALTO	NM	88312
325480	CLARKE, ROSEMARY C	10229 AGGIE CIR	EL PASO	TX	79924
1002028	CLICK, WILLIAM R &	9848 DOS CERROS LOOP	BOERNE	TX	78006
294605	COBB, JOHN M	6202 CR 1440	LUBBOCK	TX	79407
1005545	COLTHARP, RICHARD &	1210 RED WING DR	FRIENDSWOOD	TX	77546
332075	CONDON, CHRISTOPHER	PO BOX 1511	ALTO	NM	88312
313175	CONNER, GREG	116 PINE KNOT TRL	ALTO	NM	88312
334975	COOLEY, BOBBY W JR	110 CORNUDAS TRAIL	RUIDOSO	NM	88345
261035	COON, TROY L	1717 PONTIAC AVE	LUBBOCK	TX	79416
289930	CORLEY, DWAYNE	137 PINE HILL TRAIL	ALTO	NM	88312
283857	COUNTRY AFFLUENCE, LLC	PO BOX 3000	BIG SPRING	TX	79721
284000	DEATON INTERESTS, LLC	197 PARK PLACE CIR	CRESSON	TX	76034
323285	DESALVO, KURT JOHN	111 HONEYDEW LN	ALTO	NM	88312
275050	DIANA LEE, LLC	2501 NASHVILLE AVE	EL PASO	TX	79930
281700	DOOLEY, BOYD R & ROBIN M	PO BOX 2483	RUIDOSO	NM	88355
291025	EAGLE POINT VENTURES, LLC	138 PINE HILL TRL	ALTO	NM	88312
285950	EINSEL, LEWIS D	2554 SW SISKIN CIR	PORT ORCHARD	WA	98367
318936	ELSON REV TRUST	PO BOX 1841	ALTO	NM	88312
1000435	ELSON, JAMES K	PO BOX 1841	ALTO	NM	88312
261200	ENCHANTED STAR HOMES, LLC	1451 MECHEM DR	RUIDOSO	NM	88345
254050	EULETT, LEANNE	135 PINEHILL RD	ALTO	NM	88312
1005960	FARRINGTON, GALEN	PO BOX 295	RUIDOSO	NM	88355
307890	FERGUSON TRUST	PO BOX 2286	PAHRUMP	NV	89041
258201	FLYING J RANCH, INC	PO BOX 2505	RUIDOSO	NM	88355
1002480	FOSTER LIVING TRUST	700 SEATTLE SLEW AVE SE	ALBUQUERQUE	NM	87123
264775	FRANCIS, PATRICK M & VIRGINIA U	1694 CATESBY WAY	EL PASO	TX	79911

		PO BOX 567	EDGEWATER	FL	32132
1001932	FREEMAN FAMILY REV TRUST				
334960	FRENCH ENTERPRISES, LLC	PO BOX 1555	ALTO	NM	88312
1004136	FRENCH, CHARLES DAVID	PO BOX 1555	ALTO	NM	88312
308427	FUQUA, DOUGLAS O	PO BOX 1402	ALTO	NM	88312
308310	GARCIA, PAUL	107 HONEYDEW DR	ALTO	NM	88312
262375	GARDNER, DALE	309 NORTH 4TH ST	WOLFFORTH	TX	79382
1002877	GRIFFIN, GREGG	132 MESCALERO TR	RUIDOSO	NM	88345
1002111	GRIFFIN, GREGG	123 MESCALERO TRAIL	RUIDOSO	NM	88345
321450	GUERRERO, ALFRED R	1420 WALDEN DR	LAS CRUCES	NM	88001
305175	GULFWIND DEVELOPERS, LTD	120 GULFWIND DR	PORT ARANSAS	TX	78373
335114	GURROLA, HECTOR E	1421 TEMPLE HEIGHTS DR	OCEANSIDE	CA	92056
289710	HADDAD, RICHARD J	3925 SOUTH JONES BLVD UNIT 1075	LAS VEGAS	NV	89103
1007200	HALL, JULIE A	40 ROY TUCKER LANE	TULAROSA	NM	88352
1007200	HALL, JULIE A	40 ROY TUCKER LANE	TULAROSA	NM	88352
302155	HARDIN-SIMMONS UNIVERSITY	PO BOX 16005	ABILENE	TX	79698
1006176	HARLOW, JAMES P	901 COUNTY ROAD 279	LIBERTY HILL	TX	78642
304950	HARMON, SUSAN M	110 PINE KNOT TRL	ALTO	NM	88312
255525	HAWKINS, ROBERT H	115 PINE KNOT TRAIL	ALTO	NM	88312
320815	HOBBS, JAMES R	PO BOX 2505	RUIDOSO	NM	88355
1003299	HORTON, PENELOPE S	114 LEGACY LN	ALTO	NM	88312
287176	HUEY, DAYLENE P	PO BOX 856	ALTO	NM	88312
308451	JOHNSON, MIKE L	8200 N PRESCOTT RIDGE RD	PRESCOTT VALLEY	AZ	86315
289800	JONES, MARY B	21530 FER LN	SONORA	CA	95370
311825	KESTERSON, KENNETH	PO BOX 95	ALTO	NM	88312
302158	KING, MARSHALL	PO BOX 2591	LAS CRUCES	NM	88004
1001660	KINGSLEY, CAROL	1524 SMALLWOOD CRL	CLEARWATER	FL	33755
1003034	KINGSLEY, LARRY	122 LEGACY LN	ALTO	NM	88312
270200	KOEHLER, ROBERT R	PO BOX 204	ALTO	NM	88312
1002029	LACY, RORY LYNN	2205 WYDEWOOD DR	MIDLAND	TX	79707
1002107	LACY, SHERI	2205 WYDEWOOD DR	MIDLAND	TX	79707
290450	LANDERS, MARK	6833 DEER RD	LUBBOCK	TX	79407
252950	LANMON, CYNTHIA A	PO BOX 1255	ALTO	NM	88312

252925	LANMON, CYNTHIA A	1485 HWY 183 N	LIBERTY HILL	TX	78642
272225	LEBLANC, RANDALL J	43277 E PLEASANT RIDGE RD	HAMMOND	LA	70403
285032	LEE REV TRUST	1513 S. ABILENE AVE	PORTALES	NM	88130
279435	LENZO, STEVEN J	3301 10TH ST.	ALAMOGORDO	NM	88310
1002481	LESTOURGEON, BART C	PO BOX 384	BOERNE	TX	78006
286325	LUCAS, DONNA	1731 W NIDO	MESA	AZ	85202
327875	LUJAN, RAMONA	146 PINE HILL TRL	ALTO	NM	88312
306317	MAGANA, JOSE PABLO	PO BOX 7141	RUIDOSO	NM	88345
273008	MARMOLEJO, CESAR	PO BOX 181	ALTO	NM	88312
1004138	MARTIN, JERRY W & ANNETTE R	625 E JIMENEZ ST	HOBBS	NM	88240
274400	MARTIN, MERRY L	1652 BILLY CASPER DR	EL PASO	TX	79936
1007155	MARTINEZ, SALVADOR	7133 N MESA ST APT 199	EL PASO	TX	79912
286450	MCADAM REVOCABLE LIVING TRUST	1536 S STATE ST, #173	HEMET	CA	92573
1007693	MCCLURE, TOM W	148 PINE HILL TRL	ALTO	NM	88312
308430	MCCORMICK, MARY JANE	10001 CHEROKEE RIDGE	HERMLEIGH	TX	79526
330950	MCCULLOUGH, JOHN L	123 PINE HILL TRL	ALTO	NM	88312
1002876	MCDONALD, JERRELL WAYNE	107 LEGACY LN	ALTO	NM	88312
1002442	MCGARVEY, JAMES H	149 LEGACY LN	ALTO	NM	88312
1002342	MCGUIRE, GEORGE	4120 RAVENWOOD PL NW	ALBUQUERQUE	NM	87107
1003435	MITCHELL RONALD L	2241 LOMA RICA CIR	PRESCOTT	AZ	86303
284650	NEWTON, BARNEY L	PO BOX 1127	ALTO	NM	88312
284725	OLIVER, LOIS	2410 W CERRO RD	ARTESIA	NM	88210
294135	OLVERA, FABIAN J	102 MCKENZIE	RUIDOSO	NM	88345
296050	OTEY, FRANK S III	133 DEER CREEK RD	RUIDOSO	NM	88345
300650	PARDUE LIVING TRUST	PO BOX 1007	ALTO	NM	88312
305400	PARRISH, ABBY L	116 MERRILL DR	CLOVIS	NM	88101
307885	PARSONS, RICHARD A JR	PO BOX 880	ALTO	NM	88312
308426	PEEBLES TRUST	10014 FLIGHT PLAN DR	GRANBURY	TX	76049
326800	PERRIN, TYLER R;	138 PINE HILL TRL	ALTO	NM	88312
255475	RADTKE, JENNA BETH	220 LINDELL AVENUE	AUSTIN	TX	78704
312425	RASMUS, REX B	3302 ONION HOLLOW COVE	AUSTIN	TX	78739
1006492	REED, ROBERT F; TRUSTEE	108 WALKABOUT LOOP	RUIDOSO	NM	88345

Roper Construction, Inc.

Alto CBP

June 4, 2021 & Revision #0

300255	REEVES, RANDY J	216 N MAIN	ROSWELL	NM	88201
324730	RENNIE, ALISA M	PO BOX 1703 #174	RUIDOSO	NM	88345
294735	RIDENOUR, JANE	445 EAGLE DR	HOLLIDAY	TX	76366
291075	ROBINETT TRUST	7612 PLAINFIELD DR	HOBBS	NM	88242
314325	ROBLEDO FAMILY LIVING TRUST	16052 WALTZ CIRCLE	HUNTINGTON BEACH	CA	92649
327425	RODRIGUEZ, ROBERT	1010 JOY LANE	LAS CRUCES	NM	88001
316525	SANCHEZ, CANDELARIA O	1014 E CALIFORNIA AVE	LAS CRUCES	NM	88001
321786	SCRIPTER, LARRY L	PO BOX 366	BELEN	NM	87002
305751	SIMPSON, ROBERT	470 ENCHANTED FOREST LP	ALTO	NM	88312
279366	SLATEN, DONNA J	PO BOX 1843	ALTO	NM	88312
283856	SODEN, JOHN T	1086 STATE HWY 48	ALTO	NM	88312
1002341	SOUTHERN NM FLOORING OUTLETS, LLC	7100 JUSTIN LN	LAS CRUCES	NM	88007
300150	STAMBAUGH, MARK	130 HIGH SIERRA CT	ALTO	NM	88312
254915	SUNSET CHURCH OF CHRIST, INC	1308 W BLODGETT	CARLSBAD	NM	88220
305165	TEXAS BAY ISLAND INVEST, INC	2251 DRUSILLA LN STE. B	BATON ROUGE	LA	70809
313150	TOMISON, MANDA D	PO BOX 812	ALTO	NM	88312
1008089	TOMLINSON, GLEN	174 KING ROAD UNIT 4305	RUIDOSO	NM	88345
1002708	TRUE, JEFFREY D	113 LEGACY LANE	ALTO	NM	88312
298550	URBAN, DANIEL R	PO BOX 105	ALTO	NM	88312
257775	URIAS, ORLANDO	12724 TIERRA AURORA DR	EL PASO	TX	79938
288432	VASQUEZ, DAVID J	PO BOX 1498	RUIDOSO	NM	88355
264625	VICKERS, ROBERT T	PO BOX 1573	ALTO	NM	88312
1004137	WADE, DARRELL L	5 LA VILLITA CIRCLE NE	ALBUQUERQUE	NM	87112
1002898	WAGNER, GLENN	321 HEATH DR	RUIDOSO	NM	88345
328750	WETZEL, CLINTON L	PO BOX 1391	RUIDOSO DOWNS	NM	88346
1006323	WILLARD, CODY L	159 SILVER FOX LN	ALTO	NM	88312
307860	WILLIAMS, KAREN L	PO BOX 1000	RUIDOSO	NM	88355
300050	WILLIS, LARRY	101 HIGH SIERRA CT	ALTO	NM	88312

12/17/2021 13:13:29 LINCOLN COUNTY ASSESSOR

1002481 Dist 280

WEEMS, DONNIE R

KATHLEEN A

FinCo

Year 2021 ASSR23A
0 Centrl 386841 Full
95220 Land 128947 Txbl
291621 Impr 0 Exmpt
0 P.P.
0 M.H. 128947 Net
0 Livstk

PO BOX 563

RUIDOSO

NM 88355

Pos to()

Property Description

4 072 059 339 149 000000

FILE 2020 PG 760 202000760 02/10/20

CABINET-H SLIDE-685

LEGACY ESTATES

TRACT 4

CONT'G 2.116 ACS.

Code ValueDesc Quantity Rate Taxable
101M HOMESITE 31740
201I NEW RES I 97207

Print=Y

Res-Values Full 386841
Res-Values Taxable 128947
Res-Values Net 128947

F3=Cancel F4=Prompt() F6=Chg Yrs F12=Return

Bottom

12/17/2021 13:06:38 LINCOLN COUNTY ASSESSOR

1007303 Dist 280

HARRY, MASON

LAUREN

FinCo

Year 2021 ASSR23A
0 Centr1 317721 Full
44805 Land 105907 Txb1
272916 Impr 0 Exmpt
0 P.P.
0 M.H. 105907 Net
0 Livstk

4211 MARLBOROUGH DR
HOUSTON TX 77092

Pos to()

Property Description

4 072 059 213 174 000000

1043 STATE HIGHWAY 48

FILE 2020 PG 4415 202004415 082620

CABINET-E SLIDE-347

SECTION-27 TOWNSHIP-10S RANGE-13E

A TRACT OF LAND IN THE SE4NW4

NKA; THE MTG TRACT

CONT'G 2.0 ACS, MORE OR LESS

Code	Value	Desc	Quantity	Rate	Print=Y	Taxable
107R	SF	LOTS N				14935
206R	BLDG	N/R				90972

N/R-Values	Full	317721
N/R-Values	Taxable	105907
N/R-Values	Net	105907

F3=Cancel F4=Prompt() F6=Chg Yrs F12=Return

Bottom

12/17/2021 13:07:41 LINCOLN COUNTY ASSESSOR

0324301 Dist 280

1097 NM 48, LLC

NM LIMITED LIABILITY COMPANY

FinCo

Year 2021 ASSR23A
0 Centrl 324036 Full
323760 Land 108012 Txb1
276 Impr 0 Exmpt
0 P.P.
0 M.H. 108012 Net
0 Livstk

PO BOX 273

ALTO

NM 88312

Pos to()

Property Description

4 072 058 063 471 000000

FILE 2020 PG 7667 202007667 123020

SECTION-22 TOWNSHIP-10S RANGE-13E

A TRACT OF LAND WITHIN THE SW4SW4

CONT'G. 26.9866 AC.

Code	Value	Desc	Quantity	Rate	Print=Y	Taxable
112		MISC LND				107920
226		OTHER/IMP				92

N/R-Values Full	324036
N/R-Values Taxable	108012
N/R-Values Net	108012

F3=Cancel F4=Prompt() F6=Chg Yrs F12=Return

Bottom

12/17/2021 13:08:28 LINCOLN COUNTY ASSESSOR

0325480 Dist 280

JONES, DONNA LYNN

FinCo

Year 2021 ASSR23A

0	Centrl	18378	Full
18378	Land	6126	Txbl
0	Impr	0	Exmpt
0	P.P.		
0	M.H.	6126	Net
0	Livstk		

1206 EL CAMINITO

HOBBS

NM 88240

Pos to()

Property Description

4 072 059 353 213 000000

FILE 2020 PG 360 202000360 01/21/20

SECTION-27 TOWNSHIP-10S RANGE-13E

A TRACT OF LAND IN THE

SW4NE4,

CONT'G 1.0211 ACS., MORE OR LESS.

Code	ValueDesc	Quantity	Rate	Print=Y	Taxable
112	MISC LND				6126

N/R-Values Full	18378
N/R-Values Taxable	6126
N/R-Values Net	6126

F3=Cancel F4=Prompt() F6=Chg Yrs F12=Return

Bottom

12/17/2021 13:08:45 LINCOLN COUNTY ASSESSOR

0283857 Dist 280

JONES, PAUL A

REGINA L

FinCo

Year 2021 ASSR23A
0 Centrl 197316 Full
10431 Land 65772 Txb1
186885 Impr 0 Exmpt
0 P.P.
0 M.H. 65772 Net
0 Livstk

2908 42ND STREET

SNYDER

TX 79549

Pos to()

Property Description

4 072 058 177 469 000000

106 PINE KNOT TRL

FILE 2021 PG 306 202100306 01/14/21

ALTO NORTH SD.

UNIT I

BLOCK 2

LOT 15

Code	ValueDesc	Quantity	Rate	Print=Y	Taxable
107R	SF LOTS N				3477
206R	BLDG N/R				62295
009	FRONT-F	80.00			

N/R-Values Full	197316
N/R-Values Taxable	65772
N/R-Values Net	65772

F3=Cancel F4=Prompt() F6=Chg Yrs F12=Return

Bottom

12/17/2021 13:09:39 LINCOLN COUNTY ASSESSOR

0335114 Dist 280

CLEVENGER, KEITH D

FinCo

Year 2021 ASSR23A

0 Centrl 158745 Full

12705 Land 52915 Txbl

146040 Impr 2000 Exmpt

0 P.P.

0 M.H. 50915 Net

0 Livstk

PO BOX 2766

RUIDOSO

NM 88355

Pos to()

Property Description

Code ValueDesc Quantity Rate Taxable

001 FAMILY 2000

102 SF LOTS R 4235

201 S-RES BLD 48680

009 FRONT-F 207.64

4 072 058 197 431 000000

116 PINE HILL TRL

FILE 2021 PG 2752 202102752 041321

ALTO NORTH SD.

UNIT I BLOCK 3

LOT 9

Print=Y

Res-Values Full 158745

Res-Values Taxable 52915

Res-Values Exempt 2000

Res-Values Net 50915

F3=Cancel F4=Prompt() F6=Chg Yrs F12=Return

Bottom

12/17/2021 13:10:24 LINCOLN COUNTY ASSESSOR

0289710 Dist 280

WOOLF, MICHEAL CHARLES

ELLEN LOUISE

FinCo

Year 2021 ASSR23A
0 Centr1 152802 Full
18270 Land 50934 Txb1
134532 Impr 2000 Exmpt
0 P.P.
0 M.H. 48934 Net
0 Livstk

118 PEEBLES RANCH RD
ALTO NM 88312

Pos to()

Property Description

Code	ValueDesc	Quantity	Rate	Print=Y	Taxable
001	FAMILY				2000
101M	HOMESITE				6090
201M	S-RES BLD				44844

4 072 059 334 229 000000

118 PEEBLES RANCH RD

FILE 2020 PG 1141 202001142 022820

SECTION-27 TOWNSHIP-10S RANGE-13E

A TRACT OF LAND LOCATED

IN THE N2,

CONT'G 0.7567 ACS., MORE OR LESS.

Res-Values Full	152802
Res-Values Taxable	50934
Res-Values Exempt	2000
Res-Values Net	48934

F3=Cancel F4=Prompt() F6=Chg Yrs F12=Return

Bottom

12/17/2021 13:11:37 LINCOLN COUNTY ASSESSOR

0308451 Dist 280

SORENSEN, HARRY A

MARIBEL

FinCo

Year 2021 ASSR23A
0 Centr1 25128 Full
25128 Land 8376 Txb1
0 Impr 0 Exmpt
0 P.P.
0 M.H. 8376 Net
0 Livstk

PO BOX 51242

MIDLAND

TX 79710

Pos to()

Property Description

4 072 059 416 257 000000

136 PEEBLES RANCH RD

FILE 2021 PG 2596 202102596 040721

CABINET-J SLIDE-641

SECTION-27 TOWNSHIP-10S RANGE-13E

A TRACT OF LAND IN THE NE4

NKA; TRACT A

CONT'G 1.396 AC, MORE OR LESS

Code ValueDesc Quantity Rate Taxable
112 MISC LND 8376

Print=Y

N/R-Values Full 25128
N/R-Values Taxable 8376
N/R-Values Net 8376

F3=Cancel F4=Prompt() F6=Chg Yrs F12=Return

Bottom

12/17/2021 13:12:01 LINCOLN COUNTY ASSESSOR

0302158 Dist 280

MARTIN, JERRY W AND ANNETTE RENE FinCo

Year 2021 ASSR23A
0 Centr1 10566 Full
10566 Land 3522 Txb1
0 Impr 0 Exmpt
0 P.P.
0 M.H. 3522 Net
0 Livstk

625E. JEMEZ ST

HOBBS

NM 88240

Pos to()

Property Description

4 072 059 219 205 000000

FILE 2021 PG 3625 202103625 051821

CABINET-K SLIDE-505

SECTION-27 TOWNSHIP-10S RANGE-13E

TRACT 3A

A TRACT OF LAND IN THE SE4NW4

CONT'G 0.5704 ACRES.

Code ValueDesc Quantity Rate Taxable
112 MISC LND 3522

Print=Y

N/R-Values Full 10566
N/R-Values Taxable 3522
N/R-Values Net 3522

F3=Cancel F4=Prompt() F6=Chg Yrs F12=Return

Bottom

12/17/2021 13:13:54 LINCOLN COUNTY ASSESSOR

1002876 Dist 280

MARTIN, WILLIAM MARC & LISA RENEE FinCo

PANAHI, JOHN ALIEZ & BRENDA FIERRO

6939 COMMERCE AVE

EL PASO

TX 79915

Pos to()

Property Description

4 072 059 387 104 000000

107 LEGACY LN

FILE 2021 PG 3532 202103532 051421

CABINET-H SLIDE-685

LEGACY ESTATES

TRACT 21

CONT'G 2.154 ACS.

Year 2021 ASSR23A

0 Centr1 399795 Full

80325 Land 133265 Txb1

319470 Impr 2000 Exmpt

0 P.P.

0 M.H. 131265 Net

0 Livstk

Print=Y

Code	Value	Desc	Quantity	Rate	Taxable
------	-------	------	----------	------	---------

001		FAMILY			2000
-----	--	--------	--	--	------

102M		SF LOT			26775
------	--	--------	--	--	-------

201M		S-RES BLD			106490
------	--	-----------	--	--	--------

Res-Values	Full	399795
------------	------	--------

Res-Values	Taxable	133265
------------	---------	--------

Res-Values	Exempt	2000
------------	--------	------

Res-Values	Net	131265
------------	-----	--------

F3=Cancel F4=Prompt() F6=Chg Yrs F12=Return

Bottom

12/17/2021 13:17:34 LINCOLN COUNTY ASSESSOR

1002342 Dist 280

HORCASTAS, PORFIRIO R

THOMAS, KATHY J

FinCo

Year 2021 ASSR23A
0 Centrl 79590 Full
79590 Land 26530 Txbl
0 Impr 0 Exmpt
0 P.P.
0 M.H. 26530 Net
0 Livstk

102 RACQUET DRIVE UNIT 61E
RUIDOSO NM 88345

Pos to()

Property Description

4 072 059 489 145 000000

FILE 2021 PG 3436 202103436 051021

CABINET-H SLIDE-685

LEGACY ESTATES

TRACT 12

Code	Value	Desc	Quantity	Rate	Print=Y	Taxable
107	SF	LOTS N				26530

N/R-Values Full	79590
N/R-Values Taxable	26530
N/R-Values Net	26530

F3=Cancel F4=Prompt() F6=Chg Yrs F12=Return

Bottom

12/17/2021 13:17:53 LINCOLN COUNTY ASSESSOR

1008089 Dist 280

ROPER INVESTMENTS, LLC

NM LIMITED LIABILITY COMPANY

FinCo

Year 2021 ASSR23A
0 Centrl 75000 Full
75000 Land 25000 Txbl
0 Impr 0 Exmpt
0 P.P.
0 M.H. 25000 Net
0 Livstk

PO BOX 995

ALTO

NM 88312

Pos to()

Property Description

4 072 059 362 029 000000

FILE 2021 PG 1707 202101707 031021

CABINET-K SLIDE-266

SECTION-27 TOWNSHIP-10S RANGE-13E

REED TR. 4A-1

BEING A TRACT OF LAND LYING WITHIN
THE NE4

CONT'G 2.50 AC.

Code ValueDesc Quantity Rate Taxable
112 MISC LND 25000

Print=Y

N/R-Values Full 75000
N/R-Values Taxable 25000
N/R-Values Net 25000

F3=Cancel F4=Prompt() F6=Chg Yrs F12=Return

Bottom

12/17/2021 13:18:29 LINCOLN COUNTY ASSESSOR

1002898 Dist 280

LACY, RORY LYNN

JACQUELYN SHERI

FinCo

Year 2021 ASSR23A
0 Centrl 103050 Full
103050 Land 34350 Txbl
0 Impr 0 Exmpt
0 P.P.
0 M.H. 34350 Net
0 Livstk

2205 WYDEWOOD DR

MIDLAND

TX 79707

Pos to()

Property Description

4 072 059 398 080 000000

FILE 2021 PG 3736 202103736 052121

CABINET-H SLIDE-685

LEGACY ESTATES

TRACT 22

CONT'G 2.290 ACS.

Code	Value	Desc	Quantity	Rate	Print=Y	Taxable
107	SF	LOTS N				34350

N/R-Values Full	103050
N/R-Values Taxable	34350
N/R-Values Net	34350

F3=Cancel F4=Prompt() F6=Chg Yrs F12=Return

Bottom